

# **EXHIBIT K**

**Re: Cosby: Scheduling Depositions**

Hilary Jabs <hjabs@borkanscahill.com>

Tue 1/30/2024 6:51 PM

To: Sheila A Bedi <sheila.bedi@law.northwestern.edu>

Cc: Murphy, Andrew S. <AMurphy@taftlaw.com>; ben <ben@peopleslawoffice.com>; Graham Miller <GMiller@borkanscahill.com>; Whitney Hutchinson <WHutchinson@borkanscahill.com>

Sheila,

Thank you for the note. As I explained to you over the phone, we issued discovery to Plaintiff Cosby in July and are still missing a concerning amount of pertinent information and records as extensively outlined in our 37.2 conference agreement that immediately impairs our ability to proceed with discovery in this case. I also respectfully disagree with your characterization of your production of over 670 pages of records, as the majority of those records are not specifically related to Plaintiff Cosby, but rather related to the consent decree hearings before Judge Dow, media reports, and transcripts of Independent Monitor Listening Sessions.

Plaintiff Cosby has personally failed to produce the majority of records we have requested from him that relate directly to his claims and injuries. He has also failed to disclose identifying information of the Podcast he appeared on with his friends from the protest where he made statements relating to this very incident. Further, Plaintiff Cosby has received numerous extensions from the original due date in August through January (6 months) and still has not complied with our discovery requests or our 37.2 agreement entered into six weeks ago. To clarify, I am not suggesting that his Counsel has not been diligent, and I appreciate the position you are currently in, but I am stating that your client has not been diligent and that his unreasonable delays are now prejudicing my client.

Given the March 22 discovery closure date, I have no choice but to get the Motion to Compel on file and cannot unfortunately extend an additional week of time for you to try to get ahold of your client. I will attach this email correspondence as an exhibit per your request and I will request 14 days for you to file your response.

Best,

**BORKAN  
& SCAHILL LTD.**

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**From:** Sheila A Bedi <sheila.bedi@law.northwestern.edu>

**Sent:** Tuesday, January 30, 2024 4:20 PM

**To:** Hilary Jabs <hjabs@borkanscahill.com>

**Cc:** Murphy, Andrew S. <AMurphy@taftlaw.com>; ben <ben@peopleslawoffice.com>

**Subject:** RE: Cosby: Scheduling Depositions

Hilary: I'm writing to follow up on your email below and to memorialize our phone call. As I conveyed, I haven't supplemented discovery responses because I have been unable to contact Mr. Cosby. I am trying a few additional outreach strategies this week—and I hoped that you'd be willing to provide me with another week to try those strategies prior to involving the court.

I certainly agree that you and Andrew have shown professional courtesy—and I'm grateful for your efforts. Previously, I needed an extension related to a family member's unexpected extended illness and because Mr. Cosby was unavailable immediately before the December holidays. That said, we have produced over 670 pages of discovery on Mr. Cosby's behalf—including medical records, social media posts and detailed interrogatory responses and supplementary

responses. Your characterization below that Plaintiff has been provided “six months” of extensions is not accurate and wholly ignores the efforts that Plaintiff and his counsel have made to comply with the Defendants’ discovery requests.

If you proceed with a motion at this time, please provide Plaintiff with 14 days to respond. I’d also be grateful if you would attach this correspondence as an exhibit to any motion.

Thanks, s

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**From:** Hilary Jabs <hjabs@borkanscahill.com>  
**Sent:** Tuesday, January 30, 2024 12:45 PM  
**To:** Sheila A Bedi <sheila.bedi@law.northwestern.edu>  
**Cc:** Murphy, Andrew S. <AMurphy@taftlaw.com>  
**Subject:** Re: Cosby: Scheduling Depositions

Sheila,

We do not agree to extend any further time to your client. We issued discovery last July and have been more than courteous in providing almost 6 months of extensions to Mr. Cosby. With the upcoming discovery closure date, I will be getting a Motion to Compel on file today. Judge Pallmeyer's standing order requires a proposed briefing schedule to be submitted with the unopposed motion. Please advise how much time you would like to respond. If I do not hear back from you by 5:00 p.m. today, I will propose 14 days.

Best,

**BORKAN  
& SCAHILL LTD.**

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**From:** Sheila A Bedi <[sheila.bedi@law.northwestern.edu](mailto:sheila.bedi@law.northwestern.edu)>  
**Sent:** Monday, January 29, 2024 8:54 AM  
**To:** Hilary Jabs <[hjabs@borkanscahill.com](mailto:hjabs@borkanscahill.com)>  
**Cc:** Murphy, Andrew S. <[AMurphy@taftlaw.com](mailto:AMurphy@taftlaw.com)>; Anissa Nikki Torres <[anissa.torres1@law.northwestern.edu](mailto:anissa.torres1@law.northwestern.edu)>; Kara C Crutcher <[kara.crutcher@law.northwestern.edu](mailto:kara.crutcher@law.northwestern.edu)>  
**Subject:** Re: Cosby: Scheduling Depositions

Hilary and Andrew: Despite my best efforts, I need more time to complete the supplemental discovery and verification. Mr. Cosby has been unavailable to meet. I hope to provide you with an update tomorrow. Thanks, s

On Jan 26, 2024, at 11:33 AM, Hilary Jabs <[hjabs@borkanscahill.com](mailto:hjabs@borkanscahill.com)> wrote:

Hi Sheila,

March 6 works for us and the City. We will issue an Amended Notice of Deposition accordingly with a start time of 10:00 a.m. His deposition will take place at our office. I will reach out to Officer Rodriguez for his